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10 Attorneys for Plaintiff

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) No. CR 10-0256 MHP
17 Plaintiff,)
18 v.) STIPULATION AND ~~PROPOSED~~ ORDER
19 CARLOS ALEJANDRO GARZA-LOPEZ,) EXCLUDING TIME UNDER 18 U.S.C. § 3161
20 Defendant.)
21 _____)

22 The parties appeared before the Honorable Marilyn H. Patel on April 19, 2010. With the
23 agreement of counsel for both parties, the Court found and held as follows:

24 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161,
25 from May 3, 2010 to May 17, 2010, in light of the need for defense counsel to review
26 immigration court hearing tapes for possible defenses to prosecution. Failure to grant the
27 requested continuance would unreasonably deny defense counsel reasonable time necessary for
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1 effective preparation, taking into account the exercise of due diligence and the need for counsel
2 to review discovery and to conduct further investigation.

3 2. Given these circumstances, the Court found that the ends of justice served by excluding
4 the period from May 3, 2010 to May 17, 2010, outweigh the best interest of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
7 from May 3, 2010 to May 17, 2010, be excluded from the Speedy Trial Act calculations under
8 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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10 SO STIPULATED:

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12 JOSEPH P. RUSSONIELLO
United States Attorney

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14 DATED: May 4, 2010

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_____/s/
PATRICIA SPALETTA
Special Assistant United States Attorney

17 DATED: May 4, 2009

_____/s/
ELIZABETH FALK
Counsel for Carlos Alejandro Garza-Lopez

20 SO ORDERED.

22 DATED: 5/5/2010

